

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

MELVIN E. OLSEN

Plaintiff,

vs.

RECONSTRUST COMPANY, N.A., et al.,

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT’S
MOTION TO DISMISS PLAINTIFF’S
COMPLAINT

Case No. 2:11-CV-81 TS

The Court has before it Defendants’ Motion to Dismiss Plaintiff’s Complaint pursuant to Fed.R.Civ.P. 12(b)(6).¹ Defendants contend that each of the causes of action alleged in the Complaint have been repeatedly rejected by this Court and rely upon meritless misinterpretations of case law and Utah statutes. In response, Plaintiff admits that this Court has repeatedly rejected similar claims, but argues that the Court’s prior holdings are in error. In reviewing Plaintiff’s arguments, however, the Court finds no meaningful distinction between this cause of action and the numerous actions the Court has previously dismissed. As persuasively demonstrated by

¹Docket No. 14.

Defendants in their reply memorandum, this Court's prior orders are founded in well-established law and have been relied upon by Utah state courts and other federal jurisdictions. The Court, therefore, finds no reason to depart from its prior holdings that these claims fail as a matter of law.

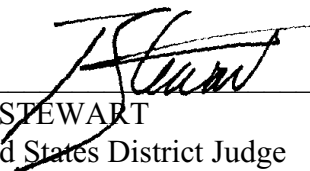
Because Plaintiff has failed to plead a cause of action upon which relief may be granted, it is therefore

ORDERED that Defendants' Motion to Dismiss (Docket No. 14) is GRANTED.

The Clerk of the Court is directed to close this case forthwith.

DATED April 21, 2011.

BY THE COURT:



TED STEWART
United States District Judge